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**CITY OF KANNAPOLIS, NC
PLANNING AND ZONING COMMISSION**

**Minutes of Meeting
November 15, 2022**

The Kannapolis Planning and Zoning Commission met on Tuesday November 15, 2022, at 6:00 PM. This meeting was held in accordance with notice published in the Independent Tribune (Appendix A) as well as on the City's website.

Commission Members Present: Chris Puckett, Chair
Daniel O'Kelly
James Litaker
Larry Ensley
Scott Trott
Shelly Stein

Commission Members Absent: Jeff Parker, Vice-Chair
Travis Gingras
Robert Severt, ETJ Representative

Visitors: None

Staff Present: Richard Smith, Planning Director
Boyd Stanley, Assistant Planning Director
Pam Scaggs, Recording Secretary

CALL TO ORDER

Chair Puckett called the meeting to order at 6:00 P.M.

ROLL CALL AND RECOGNITION OF QUORUM

Recording Secretary, Pam Scaggs called the roll. The presence of a quorum was recognized.

APPROVAL OF AGENDA

Chair Puckett asked for a motion regarding the agenda. Motion to approve by Mr. Ensley, second by Dr. Litaker and unanimously approved

APPROVAL OF MINUTES

Chair Puckett asked for a motion regarding the October 18, 2022 minutes. Mr. Ensley made the motion to approve, second by Dr. Litaker and unanimously approved.

PUBLIC HEARING

Z-2022-02 – Rezoning for Property located at 2937 Lane Street from Cabarrus County Low Density Residential (LDR) to City of Kannapolis Agricultural (AG)

Assistant Planning Director, Boyd Stanley gave a presentation regarding Case No. Z-2022-02, attached to and made part of these minutes as Exhibit 1, stating that the City of Kannapolis is the applicant for the request. Mr. Stanley noted the address and location, and stated that the property owner, Bob Mueller, applied for, and was approved for, voluntary annexation into the City of Kannapolis. He clarified that the current zoning of the property is Cabarrus County Low Density Residential (LDR) and that while Mr. Mueller intends to apply

1 for rezoning that will allow relocation of his existing towing business, North Carolina state statute requires
2 that City zoning be applied within sixty (60) days of annexation. Mr. Stanley stated that staff is recommending
3 the AG zoning as a “holding” zone until Mr. Mueller submits for rezoning.
4

5 Mr. Stanley directed the Commission’s attention to the Vicinity, Zoning and Future Land Use maps as well
6 as street views of the property. He stated that staff recommends approval of the rezoning request, reminded
7 the Commission of the actions requested and made himself available for questions.
8

9 There being no additional questions or comments, Chair Puckett opened the Public Hearing which was then
10 closed with no public comment being made.
11

12 Chair Puckett asked for a motion regarding the Statement of Consistency. Mr. Trott made the motion to
13 approve, second by Ms. Stein and unanimously approved.
14

15 Chair Puckett asked for a motion regarding the Resolution to Zone. Mr. Ensley made the motion to approve,
16 second by Mr. Trott and unanimously approved.
17

18 **PLANNING DIRECTOR UPDATE**

19 Planning Director, Richard Smith noted that the Commission will need to adopt their 2023 Meeting Schedule
20 and directed their attention to the tentative schedule. Dr. Litaker made the motion to approve, second by Mr.
21 O’Kelly and unanimously approved.

22 Mr. Smith and Senior Planner, Ben Barcroft gave a presentation regarding the Cannon Boulevard Corridor
23 Project (the Corridor) and directed the Commission’s attention to several maps illustrating the six-mile
24 Corridor.
25

26 Mr. Barcroft talked about the four major intersections that are a focus of the Corridor (Mount Olivet Road,
27 Dale Earnhardt Boulevard, the bridge interchange at Martin Luther King Jr. Avenue, and Lane Street. He
28 directed the Commission’s attention to various examples from other municipalities regarding changes made
29 to improve connectivity, sidewalks, infill development, and landscape softening. Mr. Barcroft concluded his
30 presentation and made himself available for questions.
31

32 Mr. Smith indicated that the Commission’s role is to make recommendations to the plan so that the City
33 moves in the right direction for future development and provided an example stating that the Corridor does
34 not currently have an overlay. He continued that the Commission could recommend adding an overlay to
35 better control landscaping, buffering, building height, etc. along the Corridor. Mr. Smith noted that the City
36 is also conducting area plans and exploring improvements to both the South Main Street/Midway and North
37 Main Street areas.
38

39 Mr. Smith and Mr. Barcroft responded to questions from the Commission regarding incentives for existing
40 businesses to make façade improvements, affordable housing, added bus stops, Right-of-Way (ROW)
41 acquisitions, the addition of multi-family housing along the Corridor, and parking lot changes. Mr. Smith
42 explained that the Commission should be prepared to make recommendation to City Council regarding the
43 Corridor improvements at a future meeting. Mr. Smith and the Commission discussed large parking areas
44 fronting the Corridor. The Commission discussed options for encouraging those to be softened and further
45 developed.
46

47 **OTHER BUSINESS**

48 Mr. Smith responded to additional questions from the Commission regarding various development projects
49 in the City, sewer availability, the Rogers Lake “flyover” bridge, and the completion of the Highway 3
50 improvements.

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Mr. Smith offered congratulations to Mr. O’Kelly on obtaining his Architect license. Dr. Litaker shared that he will be Santa Claus on December 3, 2022 and invited everyone to have breakfast with Santa.

ADJOURN

There being no further business, questions or comments, Mr. Ensley made the motion to adjourn which was unanimously approved. The meeting adjourned at 6:57 PM on Tuesday, November 15, 2022.



Pam Scaggs, Recording Secretary


~~Chris Puckett, Chair~~ Jeff Parker, Vice-Chairman
Planning and Zoning Commission



PO Box 27283
Richmond, VA 23261-7283

Order Confirmation

Order# 0000811239

APPENDIX A

Client: CITY OF KANNAPOLIS
Phone: 7049204300

Payor : CITY OF KANNAPOLIS
Phone: 7049204300

Account: 3143368
Address: BRIDGETTE BELL
KANNAPOLIS NC 28081

Account: 3143368
Address: BRIDGETTE BELL
KANNAPOLIS NC 28081

Sales Rep **Acct Rep** **Ordered By**
aboan aboan Pam

Fax: 7049337463
EEmail: ap@kannapolisnc.gov

Total Amount \$227.32

Payment Amount \$227.32

Amount Due \$0.00

Tax Amount: 0.00

Payment Meth: Credit - Debit Card

Tear Sheets **Proofs** **Affidavits** **PO Number:**
0 0 1

<u>Ad Number</u>	<u>Ad Type</u>	<u>Ad Size</u>	<u>Color</u>
0000811239-01	CLS Liner	2 X 35 li	\$0.00

Production Method
AdBooker (liner)

Production Notes

<u>Product and Zone</u>	<u>Placement</u>	<u>Position</u>	<u># Inserts</u>
CON Independent Trib	C-Announcements	General-Spec Notice	1

Run Schedule Invoice Text: NOTICE OF PUBLIC HEARING Planning and Zoning

Run Dates 11/13/2022

TagLine: NOTICEOFPUBLICHEARINGPLANNINGANDZONINGCOMMISSIONMEETINGTUESDAYNOVEMBER152022
AT600PMZONINGMAPAMENDMENTZ202202CORRECTIONTOPREVI



NOTICE OF PUBLIC HEARING
Planning and Zoning Commission Meeting

Tuesday, November 15, 2022 at 6:00 pm

Zoning Map Amendment - Z-2022-02 - Correction to previous notice: Public Hearing to consider a staff-initiated request to rezone property located at 2937 Lane Street from Cabarrus County Low Density Residential (LDR) zoning district to City of Kannapolis Agricultural (AG). The subject property was recently annexed into the City of Kannapolis and must be assigned City of Kannapolis zoning. The property is approximately 3.29 +/- acres and further identified as Cabarrus County Parcel Identification Number 56347012520000.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of the City of Kannapolis, should contact the office of Tina H. Cline, Human Resource Director, by phone at 704-920-4302 or by email at tccline@kannapolisnc.gov as soon as possible but no later than 48 hours before the scheduled event.

Publish: November 13, 2022.

EXHIBIT 1



Planning and Zoning Commission November 15, 2022 Meeting

Staff Report

TO: Planning and Zoning Commission
FROM: Boyd Stanley, Assistant Planning Director
SUBJECT: Case #Z-2022-02: 2937 Lane Street
Applicant: City of Kannapolis

Staff request to apply the City of Kannapolis Agricultural (AG) zoning designation to recently annexed property located at 2937 Lane Street

A. Actions Requested by Planning & Zoning Commission

1. Hold Public Hearing
2. Motion to adopt Statement of Consistency
3. Motion to adopt Resolution to Zone

B. Decision and Required Votes to Pass Requested Actions

Section 2.3.B.(1).a of the Kannapolis Development Ordinance (KDO) allows the Planning and Zoning Commission to render a final decision on a rezoning request. If there is a denial, an approval by a vote of less than three-fourths, or an appeal of the decision, then only the City Council shall have final decision-making authority. Any final decision rendered by the Commission may be appealed within fifteen (15) days to the City Council.

C. Background & Project Overview

On September 12, 2022, the City of Kannapolis annexed approximately 3.29 +/- acres of property located at 2937 Lane Street and further identified as Cabarrus County Parcel Identification Number 56347012520000 after a request for voluntary annexation was received from Robert Mueller.

Per the North Carolina General Statutes, an initial City of Kannapolis zoning designation must be applied to the property by the Planning and Zoning Commission within 60 days of the effective date of the annexation. At this time, the AG designation will serve as a place holder until the owner submits the required site plan and application for a Conditional District (CZ) zoning designation to accommodate their intended commercial use of a towing service and a commercial vehicle repair facility.

D. Fiscal Considerations

None

E. Policy Issues

Section 2.5.A.(2).c of the KDO states that Amending the Zoning Map is a matter committed to the legislative discretion of the Planning and Zoning Commission or of the City Council, as authorized by this section. In determining whether to adopt or deny the proposed amendment, the Planning and Zoning Commission or the City Council, as applicable, may consider, and weigh the relevance of, whether and to what extent the proposed Zoning Map amendment:

- 1. Is the proposed rezoning consistent with the Comprehensive Plan and other applicable adopted City plans?**

The requested rezoning is a “holding” zoning district until plans are submitted by the applicant.

- 2. Is the proposed rezoning in conflict with any provision of this Ordinance or the City Code of Ordinances?**

No. The requested AG zoning district is equivalent to the previous LDR zoning district in Cabarrus County.

- 3. Does the proposed rezoning correct an error in the existing zoning present at the time it was adopted?**

No, the subject property was recently annexed into the City of Kannapolis.

- 4. Does the proposed rezoning allow uses that are compatible with existing and allowed uses on surrounding land and with the stability and character of any adjacent residential neighborhoods?**

N/A

- 5. Does the proposed rezoning ensure efficient development within the City, taking into consideration the capacity and safety of the street network, the adequacy of public facilities, the suitability of the land for the uses allowed under the existing zoning, and other relevant considerations?**

N/A

- 6. Does the proposed rezoning result in a logical and orderly development pattern, taking into consideration the size of the subject lands and the zoning and existing and proposed development on surrounding lands?**

N/A

- 7. Does the proposed rezoning result in significant adverse impacts on the natural environment, including but not limited to water, air, noise, storm water management, wildlife, vegetation, wetlands, and the natural functioning of the environment?**

N/A

F. Legal Issues

None

G. Finding of Consistency with Comprehensive Plan

Staff finds this rezoning **consistent** with the goals and policies of the *Move Kannapolis Forward 2030 Comprehensive Plan*, adopted by City Council, which designates the subject property as located within the “Employment Center” Character Area in the *Move Kannapolis Forward 2030 Comprehensive Plan*. This Character Area designation allows for light-industrial and non-residential uses consistent with the intended use of the property. Furthermore, staff finds the request for rezoning reasonable and in the public interest because it will provide development that is suitable for the area. The intended use is also compatible with the surrounding zoning and is not anticipated to have an adverse effect on the capacity or safety of the surrounding street network, nor anticipated to generate parking problems or any adverse impact on the environment. Sanitary sewer service is subject to allocation based upon sewer treatment capacity.

H. Staff Recommendation and Alternative Courses of Action

Staff Recommendation

The Planning and Zoning Commission may choose to approve or deny the petition as presented.

Based on the request being consistent with the *Move Kannapolis Forward 2030 Comprehensive Plan*, staff recommends approval for Zoning Map Amendment Case #Z-2022-02

Alternative Courses of Action

Motion to Approve (2 votes)

- 1. Should the Commission choose to approve the request for rezoning as presented in Case #Z-2022-02, a motion should be made to adopt the following Statement of Consistency:**

Statement of Consistency: *Staff finds this rezoning **consistent** with the goals and policies of the *Move Kannapolis Forward 2030 Comprehensive Plan*, adopted by City Council, which designates the subject property as located within the “Employment Center” Character Area in the *Move Kannapolis Forward 2030 Comprehensive Plan*. This Character Area designation allows for light-industrial and non-residential uses consistent with the intended use of the property. Furthermore, staff finds the request for rezoning reasonable and in the public interest because it will provide development that is suitable for the area. The intended use is also compatible with the surrounding zoning and is not anticipated to have an adverse effect on the capacity or safety of the surrounding street network, nor anticipated to generate parking problems or any adverse impact on the environment. Sanitary sewer service is subject to allocation based upon sewer treatment capacity.*

2. **Should the Commission choose to approve Case #Z-2022-02, a motion should be made to adopt the Resolution to Zone.**

Motion to Deny (2 votes)

1. **Should the Commission choose to recommend denial of Case #Z-2022-02, a motion should be made to adopt the following Statement of Consistency:**

Statement of Consistency: *The Planning and Zoning Commission finds this zoning map amendment as presented in Case #Z-2022-02 to be **inconsistent** with the goals and policies of the **Move Kannapolis Forward 2030 Comprehensive Plan**, adopted by City Council, because (state reason(s)) and is unreasonable and not in the public interest because (state reason(s)).*

2. **Should the Commission choose to deny Case #Z-2022-02, a motion should be made to deny the Resolution to Zone.**

I. Attachments

1. Rezoning Application
2. Vicinity Map
3. Zoning Map
4. 2030 Future Land Use and Character Map
5. Notice of Public Hearing
6. List of Notified Properties
7. Letter to Adjacent Property Owners
8. Posted Public Notice Sign
9. Resolution to Adopt a Statement of Consistency
10. Resolution to Zone

J. Issue Reviewed By:

- Planning Director
- Assistant City Manager
- City Attorney